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April 18, 2019

VIA ECF

The Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square, Room 2201
New York, NY 10007

Re: Nasdaq, Inc. v. Exchange Traded Managers Group, LLC et al. No. 1:17-CV-08252 (PAE)

Dear Judge Engelmayer,

Pursuant to Rule 5.C. of Your Honor's Individual Rules, we write to inform the Court and opposing counsel that ETFMG intends to cross-examine the following witnesses at trial for whom Nasdaq has submitted direct testimony affidavits:

1. Terry Wade;
2. David Gedeon;
3. Casey Freire; and
4. Vinita M. Juneja, Ph.D.

Respectfully submitted,

/s/ John P. Coffey
John P. Coffey

cc: Counsel for Nasdaq (via ECF)